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Chair: Mr. Haniff ..... (Malaysia)

Contents

Agenda item 67*: Elimination of racism, racial discrimination, xenophobia and related intolerance

(a) Elimination of racism, racial discrimination, xenophobia and related intolerance

(b) Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

Agenda item 68*: Right of peoples to self-determination

* Items which the Committee has decided to consider together.

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The meeting was called to order at 10.05 a.m.

Agenda item 67: Elimination of racism, racial discrimination, xenophobia and related intolerance (A/66/366-S/2011/584)

(a) Elimination of racism, racial discrimination, xenophobia and related intolerance (A/66/18 and A/66/312)

(b) Comprehensive implementation of and follow-up to the Durban declaration and Programme of Action (A/66/313 and A/66/328)

Agenda item 68: Right of peoples to self-determination (A/66/172 and A/66/317)

1. **Mr. Bennett** (Special Adviser to the Assistant Secretary-General for Human Rights) introduced the Report of the Secretary-General on global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up of Durban Declaration and Programme of Action (A/66/328), which focused on measures taken by United Nations and other organizations and entities toward eliminating racism and discrimination and implementing the Durban Declaration and Programme of Action. It also highlighted the activities of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and the roles of the Durban mechanisms.

2. He also introduced the Report of the Secretary-General on the right of peoples to self-determination (A/66/172), which outlined the latest developments in the relevant jurisprudence of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights on the treaty-based human rights norms relating to realization of the right of peoples to self-determination. It also provided information on the Human Rights Council's consideration of the human rights situation in Palestine and other Occupied Arab Territories, and a summary of developments in South Sudan and Western Sahara.

3. **Mr. Cesa** (Argentina), speaking on behalf of the Group of 77 and China, said that the commemoration of the adoption of the Durban Declaration and Programme of Action and the consensus adoption of the political declaration on racism, racial discrimination, xenophobia and related intolerance provided an opportunity to assess progress made and identify obstacles and challenges encountered, and reaffirmed the political will to fight those problems.

4. The Group of 77 called for concrete action to implement the Durban Declaration and Programme of Action and the outcome document of the Durban Review Conference. It noted the importance of providing the relevant mechanisms with the resources necessary for effective fulfilment of their mandates. Lastly, it welcomed the decision to erect a permanent memorial to honour the victims of slavery and the transatlantic slave trade.

5. **Ms. Ojiambo** (Kenya), speaking on behalf of the Group of African States, said that those States attached great importance to the fight against racism, racial discrimination, xenophobia and related intolerance within the framework of the relevant international instruments and the work of the Special Rapporteur. The international community had to work through institutional support mechanisms and education to reverse retrogressive attitudes that fuelled racism.

6. The main outcome of the Durban Conference was a change in attitudes towards racist institutions, laws and policies. Racist behaviours must be eliminated and multi-cultural, multi-racial, and multi-religious societies must be embraced. The Group of African States also supported efforts to erect a memorial to honour victims of slavery and the transatlantic slave trade.

7. **Mr. Minty** (South Africa), speaking on behalf of the Southern African Development Community (SADC) said that the recommendations in the reports of the Secretary-General constituted a foundation for the struggle against the continuing phenomena of racism, racial discrimination, xenophobia and related intolerance. The United Nations must mainstream efforts to assist Governments in the elimination of such practices.

8. SADC members had instituted domestic laws to combat the scourge of racism and achieve equality. They were concerned about a pattern by some countries to renege on their Durban commitments and to renegotiate the Durban Declaration and Programme of Action. Limited progress had been made in the past ten years in its implementation, particularly its paragraphs 157-159. The reservations to some of the key provisions of the International Convention on the Elimination of Racial Discrimination were also of concern.

9. SADC reaffirmed the principle of non-discrimination, condemned all racist ideologies and reiterated the importance of the Durban follow-up mechanisms. Lack of political will and commitment were still a core factor affecting global efforts toward the eradication of related problems. They were committed to continuing to seek solutions to racism and to address its contemporary forms.

10. **Mr. Hunte** (Antigua and Barbuda), speaking on behalf of the Caribbean Community (CARICOM), expressed appreciation for the steps taken by the Chair in respect of the order of speakers.

11. CARICOM supported the findings, recommendations and best practices contained in the interim report prepared by the Special Rapporteur of the Human Rights Council on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (A/66/313) and encouraged Member States to implement the recommendations. It noted, however, that the report of the Committee on the Elimination of Racial Discrimination covering its seventy-eighth and seventy-ninth sessions had not yet been issued; it looked forward to the opportunity to review it.

12. CARICOM viewed the meeting commemorating the tenth anniversary of the Durban Conference as an opportunity to take stock of the progress made in implementing the objectives of the Durban Declaration and Programme of Action, reaffirm commitments and mobilize the political will to end offences. It regretted the recent resignation of the Special Rapporteur; at the same time it endorsed the appointment of his replacement and of the Independent Expert on Minority Issues. Its member countries intended to work with the new Special Rapporteur, and welcomed adoption of Resolution 16/33 (A/HRC/RES/16/33), which extended his mandate for an additional three years.

13. Renewed emphasis on and adequate funding for follow-up mechanisms and sustained international cooperation in addressing race-related offences were needed. The Governments of the CARICOM countries sought to protect the diversity of their societies while promoting equality, justice and dignity in order to prevent manifestations of race-related problems from taking root.

14. CARICOM appreciated the decision to support the memorial to honour the victims of slavery and the transatlantic slave trade. It welcomed the launch of an international competition to identify a design for it and commended the United Nations Educational, Scientific and Cultural Organisation (UNESCO) for its work on the slave route project and its collaboration with the memorial committee.

15. Structural discrimination remained a barrier to full cultural, social and economic development in some countries. Many of the inequitable social and economic conditions afflicting developing countries had been caused by historical misdeeds. CARICOM appreciated the efforts of the Special Rapporteur to contribute to a better understanding of the manifestations of structural discrimination and its causes, and his recommendation that States should review and redesign pertinent legislation, policies and programmes that had a disproportionate effect on specific groups of individuals.

16. CARICOM also appreciated his contribution to the discussion on racial discrimination against people of African descent in Geneva on 7 March 2011, and supported the activities of the Working Group of Experts on People of African Descent. Historical injustices and human rights violations had caused the marginalization of many persons of African descent. Some progress had been made, but serious challenges remained.

17. **Mr. De Bustamante** (Observer for the European Union), speaking also on behalf of the candidate countries Croatia, Turkey, the former Yugoslav Republic of Macedonia, Montenegro, the stabilization and association process countries Albania, Bosnia and Herzegovina and Serbia, as well as Ukraine, Republic of Moldova, Armenia and Georgia, expressed reservations about the decision taken by the Chair in respect of the order of speakers.

18. The European Union defended and promoted the values of respect for human dignity, freedom, democracy, equality, the rule of law, and respect for human rights, including the rights of persons belonging to minorities. It rejected and condemned all forms of racism, racial discrimination, xenophobia and related intolerance, including discrimination on the basis of sexual orientation. A consistently tough zero-tolerance stance against all those practices must be taken.

19. The European Union had initiated measures to combat racism and xenophobia requiring its members to introduce national laws prohibiting racial discrimination. It was also committed to eliminating

discrimination against and to promoting and protecting the rights and integration of the Roma people.

20. Since its foundation in 2007, the European Union Agency for Fundamental Rights had been collecting, analysing, and disseminating comparable objective data on various fundamental rights issues, including racism and xenophobia. The European Union reaffirmed its commitment to counter extremist political parties, groups and ideological movements, and expressed concern about the use of the Internet to promote and disseminate racist ideas.

21. **Ms. Shen** Siwei (China) said that racism constituted a grave breach of human rights and imperilled world peace, stability and development. Noting the important steps taken over the years by the United Nations to promote the elimination of racism, in particular through implementation of the Durban Declaration and Programme of Action, she reaffirmed her country's support for that undertaking and its regret at the boycott by some countries of the Durban Review Conference and the recent high-level meeting of the General Assembly to commemorate the tenth anniversary of the adoption of the Durban Declaration and Programme of Action. China called on all parties to bridge their political differences, resist the application of double standards to the issue of racism and, through strengthened exchanges and cooperation, fully to implement the Declaration and Programme of Action and the outcome document of the high-level meeting.

22. Reaffirming the solemn political right of all peoples to national self-determination and freedom from foreign aggression and interference, she reiterated China's unwavering support for the aspiration of the Palestinian people to national self-determination, statehood and full membership of the United Nations, and called upon the international community to strive for comprehensive, just and lasting peace in the Middle East and for the peaceful coexistence of Arabs and Israelis.

23. **Ms. Solórzano-Arrigada** (Nicaragua) said that her country reaffirmed its commitment to full and effective application of the Durban Declaration and Programme of Action and the outcomes of the 2009 Review Conference, and welcomed the Political Declaration adopted during the commemoration of the tenth anniversary. As a multi-ethnic and multi-cultural nation, Nicaragua was committed to adoption of measures leading to the respect, promotion, and encouragement of human rights and fundamental freedoms.

24. Her delegation had focused on advances in the empowerment of women to ensure absence of discrimination. The Government had also promoted policies and programmes to prevent and combat discrimination against persons with disabilities, persons suffering with HIV/AIDS, and lesbian, gay, bisexual and transgendered people. The Ministry of Labour had established an Office of Equality and Non-Discrimination in Employment to oversee compliance with affirmative action measures to prevent employment discrimination against persons affected by HIV/AIDS. The Special Prosecutor for Sexual Diversity promoted policies to ensure access to the public health system, protect the employment rights of gay and lesbian citizens and eliminate hostility based on gender orientation in public schools. An Inter-institutional Commission against Racism was being established to publicize the fight against racism and discrimination and to coordinate and execute a Plan of Action to establish an equitable, inclusive, and multi-ethnic society. Furthermore, in November 2007, the criminal offence of racial discrimination had been incorporated into the new Penal Code of Nicaragua.

25. Her country affirmed the importance and inalienability of the right of self-determination of peoples suffering under foreign occupation and the right to fight for sovereignty, independence, and dignity. It therefore supported the Palestinian people in their struggle to establish the State of Palestine.

26. **Mr. Sammis** (United States of America) said that his country's hard work and commitment to combat and eliminate racial discrimination throughout the world was rooted in the saddest chapters of its history. The United States of America took seriously its obligations as a State party to the International Convention on the Elimination of All Forms of Racial Discrimination, implementing them through its Constitution, state constitutions, local laws and federal and state human rights machinery. Legislation in the United States of America prohibited racial discrimination in such areas as education, housing and employment.

27. The Government had made significant efforts to improve the cultural competence of law enforcement officers, including immigration officials. Increased

knowledge of various customs, beliefs and practices would result in fewer cases of unprofessional and unlawful conduct and prevent inappropriate actions by law enforcement officers.

28. Other government efforts included work to ensure that hate crimes were prosecuted, law enforcement misconduct was investigated and remedied and that laws and programmes to ensure fair housing, fair lending, equal educational and employment opportunity and the right to vote were enjoyed by all without regard to race. International efforts included co-funding of and cooperation in anti-racism programmes with Brazil and Colombia, inter alia, and programmes which supported the International Year for People of African Descent.

29. **Mr. de Séllos** (Brazil) said that ten years after the Durban Declaration and Programme of Action, the provisions contained in those documents remained relevant.

30. In the past decade, Brazil had made significant strides to fight racism, racial discrimination, xenophobia and related intolerance. In 2003, the establishment of a ministerial-level body to promote racial equality had resulted from the recognition that anti-racism activities must be approached from a political and institutional perspective. Legislation to promote racial equality and fight racism had entered into force in 2010. It established that the State and the society at large were responsible for ensuring equal opportunities to all citizens, regardless of ethnic origin. The new law included a broad range of measures aimed at correcting historical injustice and promoting the social and economic inclusion of people of African descent, in particular through affirmative action programmes and policies in such areas as education and health.

31. A cash transfer programme called the Bolsa Familia had benefited a large number of families of African descent, who still made up a large part of the population living in extreme poverty. Specific actions had been implemented to improve access to quality health care for women of African descent.

32. In the 2010 population census, more than half of Brazilians, or 100 million people, had declared themselves to be of African descent. Brazil had been an early supporter of the initiative to declare 2011 the International Year for People of African Descent. The celebration offered a unique opportunity to acknowledge the contributions made by people of African descent to Brazil's economic, social, political and cultural development and served both as a reminder of Brazil's historical debt and as an inspiration to redouble efforts to address inequalities.

33. From 17 to 19 November, Brazil and the Ibero-American General Secretariat would host a Summit on People of African Descent in Salvador, Bahia. It would bring together governmental and civil society representatives from Africa, Latin America and the Caribbean and serve as a forum to exchange views on strategies to promote and enhance the social and economic inclusion of people of African descent. During the Summit, participating States would adopt the Declaration of Salvador, whose aim was to acknowledge the essential role played by people of African descent and propose concrete measures to overcome the barriers to full social and economic participation of people of African descent.

34. **Ms. Zolotova** (Russian Federation) said that her Government consistently supported the promotion and protection of human rights and fundamental freedoms for all persons without distinction; as one of the largest multi-ethnic States in the world, with 182 ethnic communities represented, the Russian Federation was a country of unique ethno-cultural and religious diversity. Over the centuries it had been able to preserve inter-ethnic and inter-faith peace and maintain a balance between the interests of the various ethno-cultural communities. At present, however, it was not unaffected by the global trends of exacerbation of inter-ethnic conflicts and the growth of intolerance and xenophobia.

35. Her Government believed that the basic work of creating and nurturing a tolerant society based on the principles of equality and cultural diversity must be carried out by the State. It was conducting a multisectoral strategy to overcome intolerance in society, with particular emphasis on education, especially at the primary and secondary levels, where the foundations of an individual's world view were laid. A comprehensive assessment was being made of the quality of civic education in educational institutions, including textbook content and teaching methods, and new approaches to inculcating a spirit of tolerance and a humanistic outlook were being introduced.

36. The Russian Federation's historical experience demonstrated the importance of the religious factor in strengthening inter-ethnic harmony. In order to combat xenophobia and intolerance, her Government was conducting wide-ranging work at all levels with representatives of traditional religious communities. A council on cooperation with religious associations was attached to the office of the President of the Russian Federation, and working groups consisting of representatives of various faiths were in operation in all Russian regions for the resolution of conflicts within the country.

37. Her delegation was concerned about the increasing persecution and discrimination to which the Christian population in various countries was being subjected. Christianophobia, like Islamophobia and anti-Semitism, was becoming a serious impediment to the development of society; its solution required an integrated approach and close interaction between international, regional and national human rights mechanisms.

38. Events in the world demonstrated the continuing and increasing significance of the Durban Declaration and Programme of Action, which continued to serve as a guide for States in developing programmes and policies. It was regrettable that a number of States had decided to ignore the high-level meeting of the General Assembly held on 22 September 2011, which had provided an opportunity for the international community to confirm its total rejection of all forms of racism and intolerance and update the priorities in that sphere.

39. An important component of the Russian Federation's strategy in that regard was education about and preservation of the memory of the sufferings and losses endured during the Second World War as a result of the implementation of the criminal Nazi ideology. The sixty-fifth anniversary of the victory in the Second World War had afforded the international community an opportunity to consider once again the significance of the Nuremberg process, which had had a crucial influence on the establishment of the international regime for the promotion and protection of human rights.

40. Her Government remained concerned about the growth of racial discrimination and xenophobia, particularly in those countries which had suffered directly from the actions of the Nazis, and the overt tolerance, and sometimes even support, afforded to the ideas and followers of Nazism, as well as the rise of neo-Fascist parties in many national parliaments and the regular marches of *SchutzStaffel* (SS) legionaries and meetings of Waffen SS veterans in a number of European countries. The more than restrained reaction by European powers, most of which had directly experienced all the horrors of fascism, was cause for bewilderment, at the very least.

41. The decisions of some judicial authorities calling in question a number of key political and legal principles formed as a result of the Second World War and the post-war settlement in Europe were another cause for concern; such verdicts effectively negated the results of the Nuremberg process, which was regarded throughout the world as the basic source of contemporary international criminal law, in particular in recognizing the SS and all its components as a criminal organization.

42. Her Government was discouraged by the position of the Western democracies, many of which had been participants in the anti-Hitler coalition, which had abstained in the vote on the draft resolution entitled "Inadmissibility of certain practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance" introduced by her delegation, and hoped that they would support the draft resolution at the current session. The international community had a duty to those who had sacrificed their lives to save humanity from fascism to take effective action to prevent the dissemination of concepts of intolerance and racial, ethnic or religious supremacy, which masked aspirations to world hegemony and were a source of new threats. United efforts, harmonious relations between different ethnicities and faiths, tolerance and mutual respect, preservation of cultural diversity and an open and constructive dialogue among civilizations were the main prerequisites for overcoming the evil of racism.

43. **Mr. Kasymov** (Kyrgyzstan) said that the persistence of serious problems in the area under discussion had been starkly illustrated by the terrorist act which had taken place in Norway on 22 July 2011. Kyrgyzstan shared the view that States needed to make even greater efforts and adopt urgent measures to combat the increasing trends of racism and xenophobia observed in recent years.

44. Kyrgyzstan's geographical situation in Central Asia at the crossroads of civilizations, and also the mass deportations that had accompanied many events of the twentieth century, determined the unique ethno-cultural composition of the modern Kyrgyz nation. Over 100 ethnic groups were now represented in Kyrgyzstan, and one third of the population belonged to ethnic minorities.

45. Kyrgyzstan had been a party to the International Covenant on Civil and Political Rights since 1994 and to the International Convention on the Elimination of All Forms of Racial Discrimination since 1997; its Constitution ensured equal rights and equal opportunities for all, established the direct applicability of the provisions of international human rights treaties and provided for the special measures recommended in the Durban Declaration to ensure equal opportunities for different social groups.

46. The decade that had elapsed since the adoption of the Durban Declaration and Programme of Action and the proclamation of the International Decade for a Culture of Peace and Non-violence had unfortunately been marked by an exacerbation of contradictions and conflicts in individual countries and regions. It was unfortunate that the implementation of the Durban Declaration and Programme of Action remained unsatisfactory and that racism, racial discrimination, xenophobia and related intolerance continued to exist in all parts of the world.

47. His delegation believed that the key to the effective implementation of the Durban Declaration was strict adherence to the principle of absolute rejection of racism at the national and international levels. Political platforms based on racism, xenophobia and doctrines of racial superiority must be condemned as incompatible with the principles of democracy. His delegation called on Member States not only to declare their commitment to combating racism, but also to take effective measures, above all through improving legislation and upholding the rule of law irrespective of distinctions of any kind.

48. **Ms. Arias** (Cuba) said that ten years after the adoption of the Durban Declaration and Programme of Action, xenophobic and anti-immigrant programmes were being put in place in many parts of the world. Ancient civilizations and religions were being demonized. Identification of specific cultures and religion with terrorism and violence was unacceptable.

49. Attempts to legitimize manifestations of racism were extremely alarming. More and more neo-fascist organizations were being established, and anti-terrorist and anti-immigrant laws that enabled authorities to act in arbitrary ways were becoming more common. Millions of immigrants from Latin America, Asia and Africa experienced violations of their rights on a daily basis.

50. New measures were urgently needed to eliminate contemporary forms of racism. They must be attacked at the root, through the establishment of a new international economic order based on equality, solidarity and social justice. Legislative measures to combat discrimination were not sufficient. It was necessary to combat negative stereotypes of groups and individuals and promote cultural, ethnic and religious diversity through the education system. During the International Year for People of African Descent, States should demonstrate their commitment and political will to end racism.

51. Cuba would once again introduce a draft resolution entitled Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, reflecting the need to establish a legally binding international instrument to regulate private military and security companies and guarantee accountability.

52. Cuba supported the inalienable right of the Palestinian people to establish their own independent, sovereign State, freely choose their own political and economic system and live in peace and freedom in their own State.

53. Despite provisions in the International Covenants on Civil and Political Rights and on Economic Social and Cultural Rights, as well as other instruments of international law, some States engaged in unilateral actions against other countries. For over 50 years, Cuba had endured a cruel and unjust economic blockade that had been repeatedly condemned by the international community. In addition, the Cuban people had endured serious violations of their right to self-determination for over 50 years, committed by the Government of the United States of America.

54. **Ms. Alsaleh** (Syrian Arab Republic) said that racism had become an epidemic: violence and incitement to ethnic or religious hatred were rife, and modern communication technologies were being used to vilify specific religions or cultures and propagate

false ideas of the superiority of some over others. A centuries-old fund of dialogue and cooperation between peoples was being depleted, the hands of the clock of civilization were being turned back.

55. That was particularly the case in the Middle East, where the Israeli apartheid entity engaged in hateful racist practices. The people of the Occupied Territories were denied citizenship on the pretext that Israel was a Jewish State. The construction of an apartheid wall was under way in the occupied Syrian Golan in a futile effort to isolate and Judaize that part of the country. The theft of water, land and property continued. Israeli occupation forces in the Syrian Golan engaged in racist and discriminatory practices in the fields of education, health, culture and language. Palestinians and persons from the occupied Golan were detained under inhuman conditions that had resulted in their becoming seriously ill and even dying, all on the grounds that they had resisted occupation by burning their Israeli identity cards. That was a flagrant violation of the Geneva Conventions and international humanitarian law.

56. Israel, in fact, engaged in State-sponsored terrorism. It was characterized by a deep-rooted, aggressive racism. Israeli settlers treated non-Jews as though they were beings that did not deserve to live. The continued feigned ignorance of Israel's crimes on the part of its apologists within the United Nations encouraged it to continue on its unlawful course. The Organization should summon up the political will to abide by its commitments and enforce the principles of international law. So long as it could not or would not do so, Israel, with the assistance of certain influential States, would continue to deprive millions of Palestinians of their right of self-determination. Yet that right remained valid; six generations of suffering had not effaced it.

57. **Mr. Tarar** (Pakistan) said that despite the enshrinement of the right to self-determination in the Charter of the United Nations, the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, resolutions of the General Assembly, the Vienna Declaration, the World Summit for Social Development in Copenhagen, the Millennium Summit, the United Nations 2005 World Summit and the fifteenth Summit of the Non-Aligned Movement, inter alia, the exercise of that right was still denied in various parts of the world, including Jammu and Kashmir and Palestine.

58. Six decades had passed since the Kashmiri people had been promised the exercise of their right to self-determination by the United Nations. Security Council resolution 47 of 21 April 1948 declared that the only way to settle the Kashmir problem peacefully was to demilitarize the State and to hold a plebiscite under United Nations supervision, a statement which the Security Council had later reiterated. Subsequent Security Council resolutions had established a ceasefire and a body to ensure respect of the ceasefire. All of those statements and measures by the Security Council had been supported by both Pakistan and India.

59. It ran counter to historical and legal fact to characterize Kashmiri demands for justice as threatening to the integrity of India. Kashmiri resistance was not externally motivated. Peaceful resistance by Kashmiri youth had forced the international community to take note. Many voices of reason in the Indian media, civil society and academia and even mainstream Indian politicians had urged the Government to stop denying the situation and acknowledge its mistakes. The discovery of mass graves in Kashmir would become a permanent scar on the conscience of mankind if the perpetrators were allowed to get away with their atrocities.

60. Leading Indian and British journalists had criticized Indian policy in Kashmir and India's refusal to heed the United Nations call for a plebiscite on self-determination. The human rights of the Kashmiri people must be respected. Pakistan reaffirmed its complete solidarity with the Kashmiris and was desirous of good and friendly relations with India based on equality and mutual trust.

61. Turning to the issue of racial discrimination, he said that new forms of related intolerance were emerging. The politicization of immigration, rigid hierarchical social structures, unequal power and economic relations, religious intolerance, stereotyping, violence and foreign occupation continued. The rights of immigrants, foreigners and minorities were often denied.

62. Pakistan was actively involved in promoting the anti-racism agenda in all forums, including the legal fight against the legacy of colonialism at the United Nations. Its engagement was based on the principle that racism ran counter to the fundamental values of peace, equality, justice and universal brotherhood

espoused by Islam and all world religions. To combat the menace of racism, an enhanced focus on intercultural and interreligious dialogue was needed. Tolerance, education and respect for religious and cultural traditions were necessary.

63. **Mr. Abdel Khalek** (Egypt) commended the efforts which had contributed to the adoption by consensus of the political declaration of the High-level Meeting of the General Assembly to commemorate the tenth anniversary of the adoption of the Durban Declaration and Programme of Action, despite the opposition of some on the basis of unjustified political reasons. Full and effective implementation of the Durban Declaration and Programme of Action and implementation of the Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery and the International Convention on the Elimination of All Forms of Racial Discrimination could not be achieved without fully understanding that diversity of culture, religion and civilization enriched humanity, contributed to peaceful coexistence and reinforced the principles of democracy and dialogue.

64. It was regrettable that manifestations of racism, racial discrimination, xenophobia and discrimination were increasing, particularly in democracies that made human rights an international political and social priority. The spread of radical and racist right-wing movements in such societies was alarming and flagrantly contradicted respect for cultural and religious diversity. It jeopardized international endeavours, including the fight against terrorism.

65. Enjoyment of freedom of expression and opinion came with responsibilities towards society. The most important of those was the responsibility to establish a constructive democratic dialogue, reinforcing the values of tolerance and understanding and addressing incitement to hatred and discrimination against migrants and representatives of certain cultures and religions.

66. Members of the international community must make honest efforts to fight all forms of racism and take measures to address the absence of necessary legal instruments prohibiting incitement to racism and discrimination and preventing impunity. There must be legislative and administrative mechanisms to counter such phenomena and provide adequate training and awareness to those responsible for implementation of such measures. Victims of discriminatory acts must have access to appropriate recourse and due process.

67. Egypt reaffirmed the importance of international cooperation to fight racism and enhance the follow-up mechanism for implementation of joint commitments, especially with regard to discrimination against women, minorities and immigrants. People in those groups faced discrimination and attempts to blur the distinctive features of their cultures and traditions, possibly forcing them to hide their religious, ethnic or linguistic affiliations.

68. Due attention must be paid to the role of education in reinforcing tolerance, understanding and peaceful coexistence, in particular among youth and children. There must be a focus on the role of non-governmental organizations, the private sector and communities in promoting dialogue and universal respect for the right to freedom of expression and opinion, as well as their role in avoiding incitement to hatred or violence against individuals or groups on the basis of their religion or culture.

69. Turning to the issue of self-determination, he said that the issue of the right to self-determination of the Palestinian people had been continuously politicized within the United Nations. The Palestinians had been under foreign occupation for more than 65 years, and despite actions by the United Nations and other international organizations, their rights were flagrantly violated on a daily basis.

70. Israel had been at war with Gaza for more than two years. The recommendations contained in the United Nations Fact Finding Mission on the Gaza Conflict, known as the Goldstone Report, must be fully implemented. The international community had a moral and legal responsibility to prevent the recurrence of such violations. The perpetrators must be held responsible for their acts, without impunity. The end of foreign occupation in Palestine and full membership for Palestine in the United Nations would contribute to ending such violations.

71. The choice of the President of the General Assembly of mediation as the main theme for discussions during the sixty-sixth session of the General Assembly underscored the need to ensure that such mediation was fair, objective and effective, so that the right to self-determination for people under foreign occupation could be realized. Decolonization remained incomplete, despite all efforts to end it. The existence

of colonialism in any form, including economic exploitation, was incompatible with the Charter of the United Nations and other international human rights instruments.

72. Declaring 2011-2020 the Third International Decade for the Eradication of Colonialism would send the right message, encouraging all parties to speed up work in order to achieve tangible results. The United Nations had the responsibility to ensure the full and unconditional realization of the right to self-determination and the full enjoyment by all peoples of human rights and fundamental freedoms, including for the Palestinian people and other populations under foreign occupation. The United Nations was urged to uphold that responsibility more seriously in order to reach a just, comprehensive and lasting peace in the Middle East, on the basis of all international terms of reference, United Nations resolutions and the principle of "Land for Peace," so that the Palestinian people could establish the State of Palestine within the 1967 borders, with East Jerusalem as its capital.

73. **Mr. Yahiaoui** (Algeria) welcomed the decision of the General Assembly to erect a monument at the United Nations to pay tribute to the victims of slavery and the transatlantic slave trade.

74. Racism, an ancient source of pain for humanity, had adapted to the modern world, spreading to all areas where discrimination and rejection of the other could thrive. Recently, contemporary forms of racism and discrimination had sought political, moral and even legal acknowledgement. In some countries, there were extremist, racist and xenophobic organizations and political parties which engaged in incitement to hatred and intolerance, not only against recent migrants but also against immigrant communities of long standing that had contributed to the wealth of the host country, and against descendants of immigrants.

75. Claiming the right to freedom of expression, some media outlets scapegoated particular communities and religions, holding them responsible for all national ills. They published statements which incited readers and listeners to racism and sometimes even called for violence and crime, while the authorities stood by and did nothing.

76. Such inaction sowed discord, kindled hatred between communities and fuelled extremism. Islamophobia, the association of Islam with terrorism and racial profiling were just a few examples of such new forms of racism, racial discrimination, xenophobia and related intolerance.

77. The Constitution of Algeria enshrined opposition to racism and elimination of all forms of racism and racial discrimination, stating that all citizens were equal before the law and outlawing discrimination with regard to birth, race, gender, opinion or other personal or social condition. It granted equal treatment and enjoyment of rights to foreigners in its territory and guaranteed freedom of belief and religion. National law prohibited all dissemination of racist, intolerant messages and incitement to violence.

78. Under no circumstances could recent, simplistic attempts to reinterpret self-determination result in the imposition of unilateral measures on peoples under foreign occupation in violation of their fundamental right to choose their destiny freely. Support for the right of peoples to self-determination was a fundamental principle of Algeria's foreign policy. Algeria had supported all peoples struggling for their freedom and dignity in Africa, Asia and elsewhere. It would continue to support the right of peoples to exercise their right to self-determination through free and impartial referendums in accordance with international law.

79. The United Nations should continue its work to implement the right to decolonization to ensure full enjoyment of that right to all peoples under foreign occupation. At a time when new types of human rights were being developed and affirmed, it was alarming that the right to self-determination remained inaccessible to some peoples, including the Palestinians and the peoples of the 16 non-self-governing territories on the United Nations decolonization list, including the people of the Western Sahara.

80. **Mr. Somantri** (Indonesia) said that his Government had passed an anti-discrimination law in 2008 to combat all forms of ethnic and racial intolerance. Continued awareness-raising measures were under way. A law on information and electronic communication criminalized acts of incitement to hatred against individuals and specific groups based on ethnicity, religion or race.

81. States were urged to ensure that migrants in vulnerable situations had access to health care, education and housing, in accordance with the relevant international obligations. Indonesia supported efforts

by countries of origin, transit and destination to establish effective awareness campaigns to eradicate negative perceptions of migrants and their families. Migrants were frequently mistreated while detained by national law enforcement agencies. All countries were urged to ensure that migrants in detention were treated in a humane and non-discriminatory manner.

The meeting rose at 12.20 p.m.